
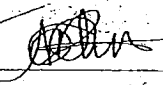


Cancellation No. 92047056

Terra Sul Corporation v. Boi Na Brasa, Inc.

EXHIBIT A-14

Offered by Terra Sul Corporation

CHURRASCARIA BOI NA BRASA CORP.		55-183 212 1408283099	1012
STORE #4			
70 ADAMS ST. PH. 201-589-6069 NEWARK, NJ 07105		DATE JUNE 26 th 1996	
PAY TO THE ORDER OF	P. S E G	\$	#1123.47
EVEN HUNDRED TWENTY THREE		72	DOLLARS
MIDLANTIC Midlantic Bank, N.A. 84 Wilson Avenue, Newark, NJ 07105		 	
MEMO ELECTRIC			
AC# 1120503671			
⑆02⑆2000⑆2⑆ ⑆⑆140828⑆1099⑆		1012	⑆0000⑆1⑆23⑆7⑆



TS 000163

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UNIVERSITY

CPA

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ATLANTIC BANK, N.A.
WEST ORANGE, N.J.
0212-0001-2

06 28

ATLANTIC BANK, N.A.
WEST ORANGE, N.J.
0212-0001-2

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not listed, accept industry guidelines

Security Features:
Microprint Signature Line: Small type in signature line repeats
Overtail Protection: Small type in signature line repeats
Chemical Alteration: Small type in signature line repeats
White Ink: Small type in signature line repeats
Absence of "Original Document": Small type in signature line repeats
Security Screen: Small type in signature line repeats

FEDERAL RESERVE BOARD OF GOVERNORS REG. CC

Cancellation No. 92047056

Terra Sul Corporation v. Boi Na Brasa, Inc.

EXHIBIT A-15

Offered by Terra Sul Corporation

Fittipaldi se recupera e já está em casa

Página 13

Computador da Mir volta a quebrar

Página 4

Maradona ameaça parar de jogar

Página 14

BRAZILIAN PRESS

Ano 1

17 a 23 - Setembro de 1997

Número 2

Distribuição Gratuita



Vera Fischer

A atriz internou-se, na tarde de terça-feira, na Clínica Solar do Rio de Janeiro, um centro de recuperação para dependência química.

Página 11

Senado aprova nova lei sobre o assédio sexual

Página 6



Senadora Benedita da Silva: A autora do projeto de lei

Esportes:

Brasil é semi-finalista no Mundial Sub-17

Página 14

Brasil é campeão mundial de vôlei de praia

Página 14

Locais:

Ameaçada a construção do estádio no Ironbound

Página 11

Remédios para emagrecer são banidos do mercado

Página 10

PLAINTIFF'S
EXHIBIT

17/9/97



Falta o óleo

Pastor Darcy Calres Jr

Certa vez, deixei meu carro emprestado com um colega que estava em dificuldades, a única responsabilidade dele era checar sempre o óleo. Passados vários dias, o carro foi devolvido. Observando o óleo, notei que quase não havia nenhum! O carro sobreviveu, mas quem sabe, você conhece alguém que por um simples descuido, uma falta de óleo por algumas milhas, teve um grande prejuízo com o motor?

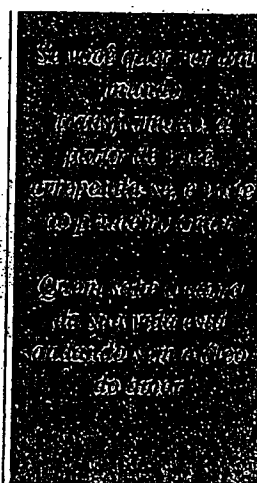
Nos últimos dias estava refletindo sobre uma cidade do Novo Testamento chamada Éfeso. O apóstolo Paulo visitou este local, anunciou o "gospel", o evangelho, as boas novas da salvação e deixou um casal chamado Áquila e Priscila na cidade. Eles encontraram um homem chamado Apolo, pregador, "tomaram-no consigo e, com mais exatidão, lhe expuseram o caminho de Deus", imitando-o a percorrer outras áreas com essa mensagem!

Anos depois, Paulo volta a Éfeso e diariamente começa a falar às pessoas a respeito do grande amor de Deus, e

de Seu Filho, Jesus Cristo. Ele mostra princípios básicos de vida, atenção doentes, liberta pessoas dominadas por demônios, enfim, anuncia toda a vontade de Deus para os moradores e visitantes daquela cidade, por um período de mais de dois anos. Isto aconteceu provavelmente por volta dos anos 60 do calendário cristão.

Como Paulo tinha um espírito desbravador e grandes alyos no seu ministério pastoral e missionário, ele resolveu partir. Marcou uma reunião com seus líderes que é descrita de maneira calorosa no Livro dos Atos dos Apóstolos, capítulo 20. Conseguimos ver um real amor, um compromisso de amizade sincera, por parte deste grande líder.

Neste encontro ele lembra aqueles presbíteros do seu caráter e que mesmo em meio a angústias, tribulações, lágrimas e até ciladas, nunca deixou de anunciar o caminho da salvação. Paulo concluiu o Deus Todo Poderoso, e as circunstâncias difíceis não eram motivo para que ele deixasse de acreditar de dizer a



mensagem que Deus havia dado a ele. Ele mostra que havia ensinado o povo usando métodos diferentes de abordar pessoas, tanto publicamente como de casa em casa. Ele destaca o fato que não fazia acepção de pessoas, isto é, todas eram importantes para ele, independente de quem eram!

Algo fantástico é que a mensagem era sempre cristalina: o "arrependimento para com Deus é a fé em nosso Senhor Jesus Cristo".

Neste mesmo encontro ele disse aos pastores e bispos que o Espírito Santo os havia constituído, para que cuidassem da igreja de Deus que Jesus Cristo havia comprado com o seu próprio sangue! Paulo alertou ainda, que depois da sua partida lobos entrariam no rebanho, falando coisas perversas, tentando enganar os irmãos.

Depois deste encontro, muitos anos se passaram, 30 ou 40 anos! E no livro do Apocalipse, mais uma vez, a igreja da cidade de Éfeso é lembrada por Jesus Cristo. No capítulo 2, ele faz vários elogios, pois o povo permaneceu firme nas doutrinas bíblicas mesmo com perseguições, angústias e crises. Jesus, porém, afirma que tinha algo contra aqueles cristãos de Éfeso! "Tenho, porém, contra ti que abandonaste o teu primeiro amor". Estava faltando o óleo do amor! A singeleza dos primeiros dias, aquele calor gostoso, aquela vontade de viver, de trabalhar, de cantar. Nos faz lembrar da força da paixão, que se não for transformada em amor, logo desaparece... Faltava aquele prazer de ser um discípulo do Mestre, de atuar

nas atividades da igreja com uma sinceridade agradável, descontraída, cheia de satisfação!

"Agora, pois, permaneçam a fé, a esperança e o amor, estes três: porém o maior destes é o amor". "É ainda que eu distribua todos os meus bens entre os pobres, e ainda que entregue meu corpo para ser queimado, se não tiver amor, nada disso me aproveitará" (1Cor 13). As vezes vivemos no dia a dia apenas sobrevivendo! Vamos, a partir de hoje, ter um novo parâmetro para nossas vidas!

Jesus foi direto ao ponto que carecia de transformação! Como anda o seu interior? Como vai o seu "amor"? Não estamos falando agora do amor na amizade, no amor sexual no casamento, no amor de preservar nossas vidas; estamos falando da essência do amor, do amor verdadeiro, o amor incondicional, o amor que não busca interesses, o amor que busca o melhor do próximo, o amor que é transbordante mesmo sem receber o retorno!

Só possui este amor quem primeiramente foi impactado com esse mesmo tipo de amor. A Bíblia afirma que nós amamos, pois Deus nos amou primeiro! O desafio é que a partir de hoje, nossos atos sejam feitos com amor!

Os Dez Mandamentos podem ser resumidos em amar a Deus sobre todas as coisas e ao nosso próximo como a nós mesmos! Vamos revolucionar este mundo! Busque a Deus de todo seu coração, ame sua família, esposa, marido, filhos, dê prioridade para eles, ame seus pais! Ame sua igreja, seus pastores, líderes, irmãos na fé. Ame seus vizinhos e companheiros de trabalho. Ame o seu país. É o país no qual você vive! Ame até seus inimigos! Faça isso, não de maneira simplista, mas seguindo os princípios e estilo de vida do nosso Mestre e Senhor Jesus Cristo! Se você quer ver um mundo transformado, a partir de você, arrependa-se, e volte ao primeiro amor. Quem sabe o carro da sua vida está andando sem o óleo do amor, e hoje é o dia da restauração, hoje é o dia do arrependimento! Jesus disse: "Vinde a mim todos os que estais cansados e sobrecarregados, e eu vos aliviarei". Mai 11:28.

Rev. Darcy Calres, Jr.
Pastor da Comunidade Cristã
Presbiteriana em Mineola - NY

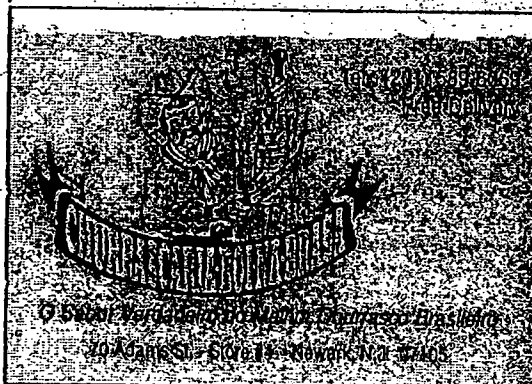
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Classificados:
Empregos, Aluguéis,
Compra, Venda, Etc

Páginas 48 & 49

**Sem-terra ameaçam invadir
fazenda de FHC**

Manifestantes exigem que o Incra libere R\$ 3 milhões

Página 10

BRAZILIAN PRESS

Grátis

Ano 3

Quarta-feira - 17 de Novembro de 1999

Número 163

BAUA: MOMENTO DE DECISÃO



Evandro Sáragamo atual
Presidente da BAUA.

*Presidente da associação diz que falta
apoio da comunidade*

*Nenhum candidato inscrito às
vésperas das eleições*

*O que pensa a comunidade sobre a
associação*

Páginas 24 e 25

**Pai desesperado busca
tratamento para o
filho nos E.U.A.**

Página 16



Vitor de 5 anos sofre de
Cerebral Palsy

ESPORTES

FLAMENGO CONFIRMA SAÍDA DE
ROMÁRIO

ATLÉTICO VENCE E CRUZEIRO RECLAMA
DA ARBITRAGEM

GUGA PODE SER O 4º TENISTA DO MUNDO

Páginas 44 a 47

LOCAIS

DIRETOR DE ESCOLA BRASILEIRA
BRILHA NO PROGRAMA CRISTINA

ATIVISTA POLÍTICA BRASILEIRA É
HOMENAGEADA POR JORNAL HISPANO

EMANUELA LIMA MOSTRA FINA ARTE
NA ONU

Páginas 10 a 38

Digital Computers

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email: digital@netnet.com



Voto online será testado em 2000 nos EUA.

A próxima eleição presidencial nos EUA, no ano 2000, testará o uso da Internet para votação política. Em dois estados americanos, Arizona e Idaho, o Partido Democrata usará a rede para eleições primárias. Também o governo dos EUA permitirá o voto online de 350 militares em serviço fora do país.

A notícia é da Reuters.

As vantagens dos votos via Internet é a rapidez da apuração, a comodidade para os eleitores e o aumento da participação popular num país onde votar não é obrigação. As desvantagens apontadas pelos críticos recaem sobre a segurança. Hackers poderiam alterar o resultado de uma eleição ou, no mínimo, saber

quem está votando em quem, quebrando assim a privacidade do voto.

Novo Lançamento

A empresa americana General Motors lançou seu primeiro carro equipado com Internet, que o motorista poderá consultar sem perigo graças a um programa que reconhece a voz. Os usuários terão acesso à atualidade, aos resultados esportivos, à bolsa e ao correio eletrônico graças a uma conexão móvel.

Não há telas nem nenhum elemento que possa distrair a atenção do motorista, frisou a GM em um comunicado publicado em Las Vegas (Nevada). O sistema, apresentado em um Cadillac Seville modelo 2000, se aproveita do já existente computador para carros Onstar, da GM. Onstar conta com cerca de 100.000

assinantes e serão fabricados anualmente mais de um milhão de veículos equipados com este sistema.

A GM prevê desenvolver os serviços Internet disponíveis em seus carros, como por exemplo a possibilidade de ouvir música graças à tecnologia MP3, ou ouvir rádio com uma conexão de satélite.

www.dialdata.com.br/lucianascotti. Não deixe de visitar o site e ler os livros de Luciana Scotti, uma gafota que, aos 22 anos, sofreu um acidente vascular cerebral (AVC). Como consequência, perdeu a voz e tornou-se tetraplégica.

Não por acaso, a vida lhe conservou o movimento de um dedo na mão esquerda, com o qual ela se comunica com o mundo. Uma excelente oportunidade para o leitor entender que o importante no ser humano não é o lay-out, mas o infinito potencial de sua alma.

Mopitor Dobrável.

Pesquisadores da IBM anunciaram esta semana a criação de um transistor flexível que poderá ser utilizado para a criação de equipamentos flexíveis, como uma tela de computador que pode ser enrolada ou um jornal eletrônico.

A tecnologia é de baixo custo e

utiliza finas camadas de material depositadas em plástico.

www.noitescariocas.com.br. Não há muitos lugares no mundo tão bons para se divertir como o Rio de Janeiro. Também não há melhor fonte de informação no mundo que a Internet.

Pois, então: antes de meter o pé na jaca, consulte o Noitescariocas.com.br.

Tem sugestões de restaurantes, bares, pizzarias, cyber bares, livrarias, quiosques, etc e tal.

WWW:

- 1) Sociedade Esportiva Palmeiras: www.palmeiras.com.br
- 2) Santos F. C.: www.lbm.com.br/santosfc
- 3) Esporte Clube Vitória: www.ecvitoria.com.br
- 4) Santa Cruz Futebol Club: www.santacruz.esp.br ou www2.netpe.com.br/users/corinthians.html
- 5) Atlético: www.atletico.com.br
- 6) Cruzeiro: www.cruzeiro.com.br
- 7) Flamengo: www.flamengo.com.br
- 8) Botafogo: www.botafogo.com.br
- 9) www.digital10.cjb.net
- 10) www.rededenegocios.inf.br
- 11) www.tre.rj.gov.br
- 12) www.fly2k.dot.gov
- 13) www.receita.fazenda.gov.br/
- 14) www.hungersite.com



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O BRASIL EM SUAS MÃOS

COMMERCIAL GENERAL LIABILITY COVERAGE PART
DECLARATIONS
COLONIA INSURANCE COMPANY

090-1

NEW
Renewal of Number*

BROKER COPY

Policy No. CGL903206A

Named Insured and Mailing Address (No., Street, Town or City, County, State, Zip Code)

CHURRASCARIA BOI NA BRASA
70 ADAMS STREET
NEWARK NJ 07105

ASSOCIATED INSURANCE MANAGEMENT CORP.

ONE SEAPORT PLAZA
199 WATER STREET
NEW YORK, N.Y. 10038

Policy Period: From 05/09/96 to 05/09/97 at 12:01 A.M. Standard Time at your mailing address shown above.

IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL THE TERMS OF THIS POLICY, WE AGREE WITH YOU TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY.

LIMITS OF INSURANCE	
General Aggregate Limit (Other Than Products-Completed Operations)	\$ 1,000,000.
Products-Completed Operations Aggregate Limit	\$ 500,000.
Personal and Advertising Injury Limit	\$ 500,000.
Each Occurrence Limit	\$ 500,000.
Fire Damage Limit	\$ 50,000. Any One Fire
Medical Expense Limit	\$ 5,000. Any One Person

RETROACTIVE DATE (CG 00 02 only)

Coverage A of this Insurance does not apply to "bodily injury" or "property damage" which occurs before the Retroactive Date, if any, shown here: NONE

(Enter Date or "none" if no Retroactive Date applies)

DESCRIPTION OF BUSINESS AND LOCATION OF PREMISES

Form of Business:

☒ Individual ☐ Joint Venture ☐ Partnership ☐ Organization (Other than Partnership or Joint Venture)

Business Description*: RESTAURANT

Location of All Premises You Own, Rent or Occupy:

70 ADAMS STREET
NEWARK NJ 07105

PREMIUM

Classification	Code No.	Premium Basis	Rate		Advance Premium	
			Pr/Co	All Other	Pr/Co	All Other
01 RESTAURANTS - WITH SALES OF ALCOHOLIC BEVERAGAES THAT ARE LESS THAN 75% OF THE TOTAL ANNUAL RECEIPTS OF THE RESTAURANTS - WITHOUT DANCE FLOOR					\$	\$
	16816	s)	50000	1.073 17.228	107.	861.
Total Advance Premium \$						968.
Premium shown is payable: \$ 968. at inception; \$ 1st Anniversary; \$ 2nd Anniversary						

FORMS AND ENDORSEMENTS

Forms and Endorsements applying to this Coverage Part and made part of this policy at time of issue†:

SEE FORM GU207 - COMMERCIAL GENERAL LIABILITY FORMS LIST

Countersigned*: CLIFFSIDE PARK NJ

*Entry optional if shown in Common Policy Declarations.

†Forms and Endorsements applicable to this Coverage Part omitted if shown elsewhere in the policy.

By

Authorized Representative

THESE DECLARATIONS TOGETHER WITH THE COMMON POLICY CONDITIONS, COVERAGE PART DECLARATIONS, COVERAGE PART COVERAGE FORMS AND FORMS AND ENDORSEMENTS, IF ANY, ISSUED TO FORM A PART THEREOF, COMPLETE THE ABOVE NUMBERED POLICY.

Cancellation No. 92047056

Terra Sul Corporation v. Boi Na Brasa, Inc.

EXHIBIT A-16

Offered by Terra Sul Corporation

HOLD HARMLESS AND INDEMNITY AGREEMENT

IT IS HEREBY AGREED BY AND BETWEEN THE TRUMP TAJ MAHAL CASINO RESORT,
1000 Boardwalk At Virginia Avenue, in the County of Atlantic state of
New Jersey,

and

CHURRASCHARIA BOI NA BRASA, the Vendor/Processor, whose address is
70 Adam Street, in the County of Essex in the state of New Jersey,
that:

CHURRASCHARIA BOI NA BRASA hereby agrees to indemnify and save
harmless THE TRUMP TAJ MAHAL CASINO RESORT from and against
any and all losses, liabilities, costs, expenses, libels,
suits, actions, claims and other obligations and proceedings
whatsoever, including, without limitation, all judgments
rendered against, and fines or penalties imposed upon THE
TRUMP TAJ MAHAL CASINO RESORT and any reasonable attorney's
fees and other expenses, incurred in connection therewith,
which, directly or indirectly, may be payable, caused by,
attributable to, arise by virtue of, or result from actual or
alleged (i) consumption or use of any food or grocery product
sold or distributed to or through indemnitee which was
prepared and distributed by CHURRASCHARIA BOI NA BRASA
(ii) breach of any guaranty, specification or warranty, express
or implied, as to the quality or kind of any such product,
related to raw materials, manufacture, production processing,
packaging, packing, sealing, storage or delivery.

Date: JUNE 7TH 1996

[Signature]
CHURRASCHARIA BOI NA BRASA

Witness: [Signature]

[Signature]
TRUMP TAJ MAHAL CASINO RESORT



Cancellation No. 92047056

Terra Sul Corporation v. Boi Na Brasa, Inc.

EXHIBIT A-17

Offered by Terra Sul Corporation

Unsubstantiated

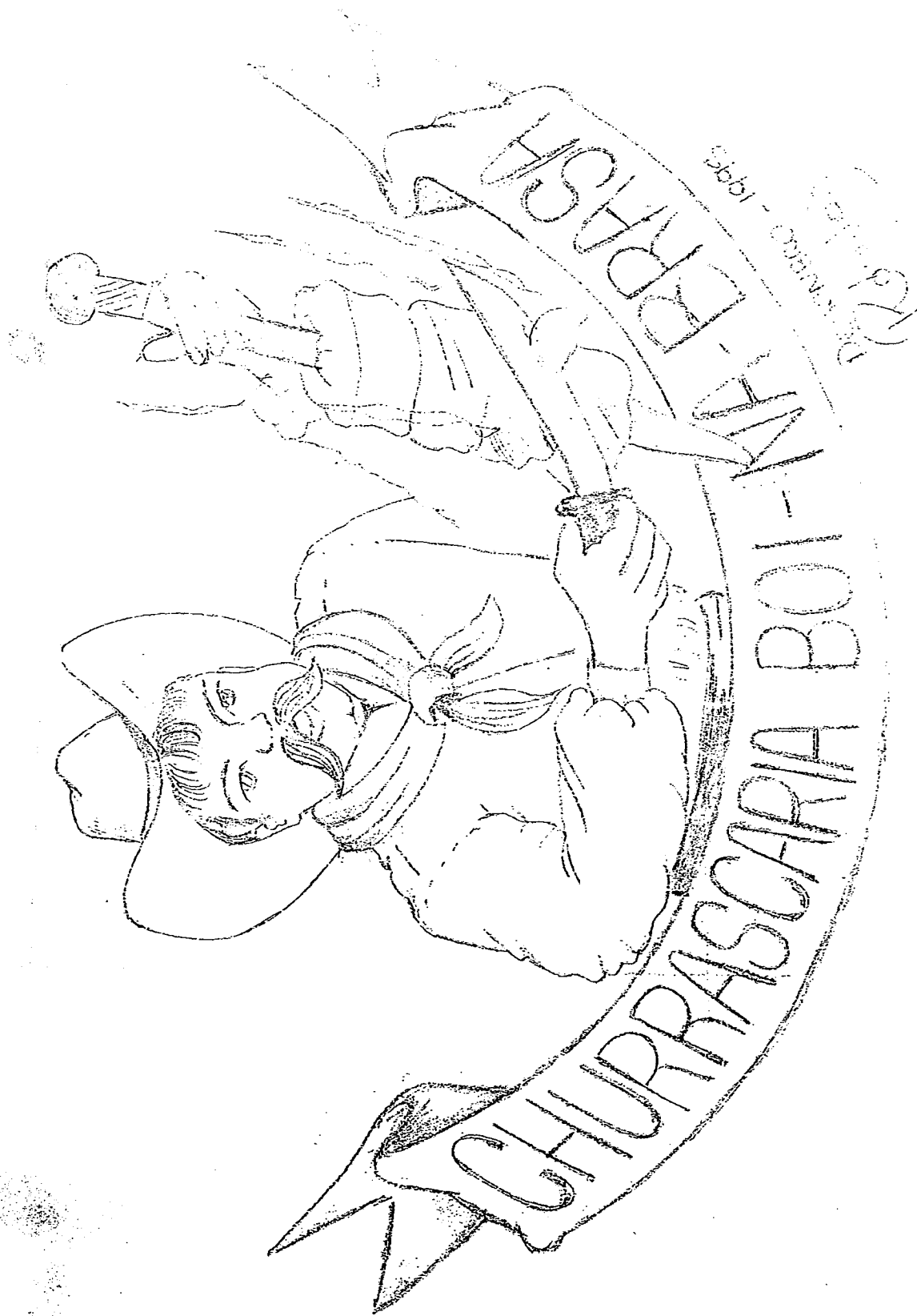


TS 000009

LC 700

Angelo

SANTO



Cancellation No. 92047056

Terra Sul Corporation v. Boi Na Brasa, Inc.

EXHIBIT A-18

Offered by Terra Sul Corporation

EXHIBIT
P-2



New Jersey Department of State
Division of Commercial Recording
Certificate of Incorporation, Profit
(Title 14A:2-7 New Jersey Business Corporation Act
For Use by Domestic Profit Corporations)

FILED

JAN 19 1999

James A. DiMonte, Jr.
State Treasurer

This is to Certify that, there is hereby organized a corporation under and by virtue of the above noted statute of the New Jersey Statutes.

1. Name of Corporation: TERRA SUL CORP.
2. The purpose for which this corporation is organized is (are) to engage in any activity within the purposes for which corporations may be organized under N.J.S.A. 14A 1-1 et seq.:
3. Registered Agent: Farid Saleh
4. Registered Office: 70 Adams Street
Newark, New Jersey 07105
5. The aggregate number of shares which the corporation shall have authority to issue is: 100 no par value
6. If applicable, set forth the designation of each class and series of shares, the number in each, and a statement of the relative rights, preferences and limitations.
7. If applicable, set forth a statement of any authority vested in the board to divide the shares into classes or series or both and to determine or change their designation number, relative rights, preferences and limitations.
8. The first Board of Directors shall consist of 1 Directors (minimum of one).
Name Street Address City State Zip
Farid Saleh, 70 Adams Street, Newark, New Jersey
9. Name and Address of Incorporator(s):
Name Street Address City State Zip
Fausto Simoes, 83 Polk St., Newark, NJ 07105
10. The duration of the corporation is: perpetual
11. Other provisions:

In Witness whereof, each individual incorporator being over eighteen years of age has signed this certificate, or if the incorporator is a corporation has caused this Certificate to be signed by its duly authorized officers this 18th day of January 1999.

Signature: FAUSTO SIMOES Signature: _____
Signature: 0100969249 Signature: _____

TS 001251



Cancellation No. 92047056

Terra Sul Corporation v. Boi Na Brasa, Inc.

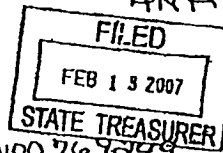
EXHIBIT A-19

Offered by Terra Sul Corporation

STATE OF NEW JERSEY
DIVISION OF REVENUE

REGISTRATION OF ALTERNATE NAME

STATE OF NEW JERSEY
DIVISION OF REVENUE
REGISTRATION OF ALTERNATE NAME



C-150G

Complete the following applicable information, and sign in the space provided. Please note that this form, the information contained in the filed form is considered public. Refer to the instructions on page 36 for filing fees and field-by-field requirements. Remember to attach the appropriate fee amount. Use attachments if more space is required for any field.

Check appropriate Statute:

- ☒ Title 14A:2-2.3 (3) New Jersey Business Corporation Act ☐ Title 42:2B-4 Limited Liability Company
☐ Title 15A:2-2.3 (3) New Jersey Nonprofit Corporation Act ☐ Title 42:2A-4 Limited Partnership

Pursuant to the provisions of the appropriate statute, checked above, of the New Jersey Statutes, the undersigned corporation/partnership hereby applies for the registration of an Alternate Name in New Jersey for a period of five (5) years, and for that purpose submits the following application:

- Name of Corporation/Business: TERRA SUL CORP.
- NJ filer ID number: 0100769249
- Set forth state of Original Incorporation/Formation: NEW JERSEY
- Date of Incorporation/Formation: January 19, 1998
- Date of Authorization (Foreign): _____
- Alternate Name to be used: CHURRASCARIA BOI NA BRASA
- State the purpose or activity to be conducted using the Alternate Name: RESTAURANT
- The Business intends to use the Alternate Name in this State.
- The Business has not previously used the Alternate Name in this State in violation of this Statute, or, if it has, the month and year in which it commenced such use is: N/A

Signature required:

For Corporation:
For Limited Partnership:
For all Other Business Types:

Signature

Farid Saleh
NAME (please type):

Chairman of the Board, President, Vice-President,
General Partner,
Authorized Representative

PRESIDENT
TITLE:

1/18/07
DATE:

THE PURPOSE OF THIS FORM IS TO SIMPLIFY THE FILING REQUIREMENTS. IT DOES NOT
REPLACE THE NEED FOR COMPETENT LEGAL ADVICE.

5 180337
3385658

Feb 12 2007 13:40
P.O.

Fax: 973-3440321

SIXES



TS 001254



STATE OF NEW JERSEY
DEPARTMENT OF TREASURY
FILING CERTIFICATION (CERTIFIED COPY)

TERRA SUL CORP.

I, the Treasurer of the State of New Jersey,
do hereby certify, that the above named business
did file and record in this department the below
listed document(s) and that the foregoing is a
true copy of the
Certificate Of Alternate Name
Churrascaria Boi Na Brasa
as the same is taken from and compared with the
original(s) filed in this office on the date set
forth on each instrument and now remaining on file
and of record in my office.



IN TESTIMONY WHEREOF, I have
hereunto set my hand and
affixed my Official Seal
at Trenton, this
9th day of May, 2007

Bradley Abelow

Bradley Abelow
State Treasurer

Cancellation No. 92047056

Terra Sul Corporation v. Boi Na Brasa, Inc.

EXHIBIT A-20

Offered by Terra Sul Corporation

STATE OF NEW JERSEY
Certificate of Authority

DIVISION OF TAXATION
TRENTON, N.J. 08646

The person or partnership or corporation named below is hereby authorized to collect:
NEW JERSEY SALES & USE TAX

PURSUANT TO N.J.S.A. 54:32B-1 ET SEQ.

This authorization is good ONLY for the named person at the location specified herein.
This authorization is null and void if any change of ownership or address is effected.

Robert P. Thompson
Director, Division of Taxation

TERRA SUL CORP.
CHURASCABIA, INC. DBA PRASA
70 ADAMS STREET, STORE #4
NEWARK, NJ 07102

Registration No.: 223-638-652/800
Tax Effective Date: 04-01-99
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TS 001288

Cancellation No. 92047056

Terra Sul Corporation v. Boi Na Brasa, Inc.

EXHIBIT A-21

Offered by Terra Sul Corporation

THOMPSON & KNIGHT LLP

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January 11, 2007

VIA FEDERAL EXPRESS

Mr. Farid Saleh, President
Gullas Corporation
148 Komorn Street
Newark, New Jersey 07105

Re: Trademark Infringement of Boi Na Braza, Inc.

Dear Mr. Saleh:

Our firm represents Boi Na Braza, Inc. ("Boi Na Braza") in intellectual property matters. Boi Na Braza, an established Brazilian Churrascarian restaurant chain, is the owner of the federally registered marks BOI NA BRAZA (Reg. No. 2,534,608), and BOI NA BRAZA & Design (Reg. No. 2,666,968), all of which cover restaurant services (collectively, the "Marks"). The BOI NA BRAZA mark has been in use at least since July 19, 1999 and the BOI NA BRAZA & Design mark has been in use at least since July 7, 2000. A copy of each Certificate of Registration is enclosed for your review. Boi Na Braza has established extensive rights in its trade name and marks, rights which are protected under the federally enacted Lanham Act. By its significant efforts and resources to promote its Marks, Boi Na Braza has also established a noted reputation and considerable good will in these marks among consumers. Furthermore, the federal registrations for the Boi Na Braza Marks provide our client with the exclusive right to use these Marks throughout the United States, as well as the right to exclude others from any and all unauthorized use of the Marks.

It has recently come to our attention that Gullas Corporation (hereinafter, "Gullas") is operating two Churrascarian restaurants in Newark, New Jersey under the names "Boi Na Braza Bar & Grill" and "Churrascaria Boi Na Braza" (collectively, the "Gullas Marks"). We note that the fictitious name for "Boi Na Braza Bar & Grill" was filed with the New Jersey Secretary of State on July 9, 2004, more than two years after the BOI NA BRAZA and BOI NA BRAZA & Design marks were federally registered and almost five years after the BOI NA BRAZA mark was first used. The website for Boi Na Braza, located at www.boinabrasa.com, shows that Boi Na Braza Bar & Grill and Churrascaria Boi Na Braza offer virtually the same style of restaurant services and food as those offered under the Boi Na Braza Marks. We believe that the use of the Gullas Marks is likely to result in significant confusion among consumers with our client's Boi Na Braza Marks due to the similarities in the appearance and sound of the marks as well as the similarities in the services offered under the marks. In fact, our client has recently become aware of actual consumer confusion. As the senior user and owner of the federal registrations, Boi Na Braza has the right of priority of use over your marks. We believe that your use of the Gullas



January 11, 2007

Page 2

Marks constitutes federal trademark infringement, dilution, and unfair competition under Section 43 of the Lanham Act.

Accordingly, we request that you immediately cease and desist any and all use of the name Boi Na Brasa, as well as any other variation that is confusingly similar to the Boi Na Braza Marks. In addition, we request that you immediately transfer the www.boinabrasa.com domain name to Boi Na Braza. The return of a copy of this letter with an original signature will indicate your acceptance of these conditions as well as your agreement not to assist or induce any other person or entity to engage in such conduct.

If we fail to have a response from you by January 22, 2007, we will assume that no suitable response will be forthcoming and we will advise our client to consider pursuing all legal options to protect and enforce its federally protected rights.

We look forward to hearing from you.

Sincerely,



Remy McElroy Davis

Enclosures

cc: Jonas Matheus
Boi Na Brasa Bar & Grill
Boi Na Brasa Churrascaria

GULLAS CORPORATION
148 KOMORN STREET
NEWARK, NEW JERSEY 07105

HEREBY AGREES TO CEASE ANY AND ALL USE OF THE BOI GULLAS MARKS AND ANY MARK THAT IS A CONFUSINGLY SIMILAR VARIATION OF THE BOI NA BRAZA MARKS AND TO TRANSFER THE DOMAIN NAME www.boinabrasa.com AND ANY SIMILAR VARIATION OWNED BY GULLAS CORPORATION TO BOI NA BRAZA, INC.

GULLAS CORPORATION

By: _____
Farid Saleh, President

Date: _____

Int. CL: 42

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 2,666,968
Registered Dec. 24, 2002

SERVICE MARK
PRINCIPAL REGISTER



BOI NA BRAZA, INC. (TEXAS CORPORATION)
415 DUNCAN PERRY ROAD
ARLINGTON, TX 76011

THE ENGLISH TRANSLATION OF "BOI NA
BRAZA" IS "OX IN EMBERS".

FOR: RESTAURANT SERVICES, IN CLASS 42
(U.S. CLS. 100 AND 101).

SN 76-088,982, FILED 7-14-2000.

FIRST USE 7-6-2000; IN COMMERCE 7-6-2000.

PAULA MAHONEY, EXAMINING ATTORNEY

Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 2,534,608

Registered Jan. 29, 2002

**SERVICE MARK
PRINCIPAL REGISTER**

BOI NA BRAZA

BOI NA BRAZA, INC. (TEXAS CORPORATION)
4025 WILLIAM D. TATE
GRAPEVINE, TX 76501 BY ASSIGNMENT MATH-
EUS BROTHERS, THE (PARTNERSHIP) AR-
LINGTON, TX 76011

FOR: RESTAURANT SERVICES, IN CLASS 42
(U.S. CLS. 100 AND 101).

FIRST USE 7-19-1999; IN COMMERCE 9-11-2000.

THE ENGLISH TRANSLATION OF "BOI NA
BRAZA" MEANS "OX IN EMBERS".

SN 75-748,967, FILED 7-1-1999.

IRENE D. WILLIAMS, EXAMINING ATTORNEY

Cancellation No. 92047056

Terra Sul Corporation v. Boi Na Brasa, Inc.

EXHIBIT A-22

Offered by Terra Sul Corporation



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Happy Birthday, Mr. Black
by Tricia Romano

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Best Choice Churrascaria - BOI NA BRASA

The all-you-can-eat meat feast called churrascaria has become commonplace around town; in fact, I even spotted one on Avenue B. Still, to save money and rub elbows with actual Brazilians one has to go to Newark's Ironbound, an easy ride on the PATH. Of the several I've reviewed there, current fave is **Boi Na Brasa**, off the beaten path in a strip mall decorated like a South American farmstead. The bacon-wrapped turkey is diverting, but I go right for the picanha and the blood-dripping beef rib. All meat is cooked over charcoal, and, even though there's a wine list, you can also bring your own. (Robert Sietsema)

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WILDEST WEENIES

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SUREST SUSHI—BROOKLYN

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Brasserie Ruhlmann

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Chopstick

STRANGEST SANDWICH—POULTRY

Ciccio's Pizza

BEST BABY CHICKEN

Colbeh

RICHEST CARROT CAKE

Concourse Jamaican Bakery

MOST EFFICACIOUS DOG

Coney's

BEST GALLERY-HOPPING FEED

Cookshop

BEST OUTRAGEOUSLY GOOD ORGANIC

Counter

BEST SUAVE SICILIAN

Dani

BEST JUICY JERK

Danny Express

TASTIEST TACOS

De Guerreros Taquería

BEST USE OF LAMB

Degustation

GREATEST GRITS

Ditch Plains

BETTER BROOKLYN BURGER

Dumont Burger

BEST USE OF SPINE

Ebisu

FABULOUS OLD-FASHIONED MALTED MILK

Egger's

LIVELIEST AND MOST LIVID LLAPINGACHOS

El Patio

BEST JAPANESE— MIDSACLE

En Japanese Brasserie

TONIEST TUNA

Falai Panetteria

BEST USE OF WATERMELON

Fatty Crab

MOST ATAVISTIC AFRICAN

Florence's

BEST NEWFANGLED ITALIAN

Frankies 457 Spuntino

BEST OLD-FASHIONED ITALIAN

Frost

MOST VIVACIOUS VERANDA

Garden Bay

TOP TEXAS BARBECUE

Halal Food

STRANGEST SANDWICH—SAUSAGE

Havana Sandwich Queen

WEIRDEST WOBBLY YELLOW STUFF

Himalayan Yak

VERY BEST BREAKFAST

Ici

MOST CONGENIAL CARPETBAGGER

Ithaka

BEST GNARLY NOODLES—QUEENS

Ja Gal Chi

BEST FANTASTIC FRANCHISE FRIES

Joe's Bestburger

STRANGEST SANDWICH—SEAFOOD

John's Famous Deli

COOLEST KOREATOWN NOODLES

Kum Ryong

SUPERLATIVE STEAK

Landmarc

WORLD'S FOREMOST DUMPLINGS

Lao Bei Fang

SECOND-BEST STATEN ISLAND PIZZA

Larocca's

BEST SEXY SAUSAGES

Lederhosen

BEST EXTRAORDINARY OXTAILS

Les' Restaurant

MOST OLD-FASHIONED KOSHER DELI

Liebman's

BEST FREAKY FRIES

Little Pepper

LOVELIEST LIVERWURST

Loreley

BEST FIERY FOOD

Los Dos Molinos

BEST DURABLE DOMINICAN

Los Viejos Amigos

BEST INNOVATIVE JAMAICAN
M & A

BEST USE OF TESTICLES
Maremma

BEST BRAWNY BAR FOOD
Mazorca

BEST STAR WARS NOODLES
Menkui Tei

BEST USE OF BABY GOAT
Metsovo

DOPEST NON-DUMPLING DUMPLINGS
Mie Jakarta

FINEST FRIED CHICKEN
Mitchell's Soul Food

TINIEST THAI
Mom Mam #1 Thai

FRESHEST FISH
Morgan Seafood

BEST JAPANESE— UPSCALE
Morimoto

BEST USE OF PRUNES
Nomad

STRANGEST SANDWICH—PORK
Noodle Bar

BEST USE OF REINDEER
Nordic Delicacies

CHOICEST CONCEALED CHOW
Nuevo Mexico

DAINTIEST DIM SUM—CHAMP
Oriental Food Restaurant

BEST BUTCHER
Pino's Meat Market

BEST RAUNCHY RIBS
R.U.B.

BEST USE OF CLAMS
Road House

BEST GROOVIEST GOO
Sanaa

BEST JAPANESE— DOWNSCALE
Sapporo

STUDLIEST SOUP DUMPLINGS

Shanghai Café

MOST MAGNIFICENT MANDOO

Shinpo Korean

MARVELOUS MALAYSIAN

Skyway

BEST GROOVY GYRO

Spartan Souvlaki

BEST DEADLY DOSAS

Sri Ganesh's Dosa House

OY! OKINAWAN

Suibí

WORLD'S BEST NOODLES

Super Taste

SUREST SUSHI—DOWNTOWN MANHATTAN

Sushi à la Kawa

BEST UNEXPECTED OUTDOOR DINING

Taam Tov

CHILLEST CHILI

Taquería D.F

MOST SENSATIONAL SPLURGE

Telepan

FARTHEST-FLUNG ASIAN

Thai Food House

BEST USE OF EGGS

Uovo

SUMATRA SYMPHONY

Upi Jaya

GOLDEN BLINTZ AWARD

Veselka

BRAINIEST SCIENCE RESTAURANT

WD-50

DAINTIEST DIM SUM—RUNNER-UP

World Tong

MAGNIFICENT MOUNTAIN

Yemen Cuisine

BEST TRENDY TURK

Zeytin

BEST UPPER EAST SIDE BURGER

Zip Burger

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Cancellation No. 92047056

Terra Sul Corporation v. Boi Na Brasa, Inc.

EXHIBIT B

Offered by Terra Sul Corporation

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Terra Sul Corporation a/k/a)	
Churrascaria Boi Na Brasa, Inc.,)	
)	
Petitioner,)	
)	
vs.)	Cancellation No. 92047056
)	
Boi Na Brasa, Inc.,)	
)	
Registrant.)	

**OBJECTIONS AND ANSWERS TO PETITIONER TERRA SUL'S
FIRST SET OF INTERROGATORIES**

To: Terra Sul Corporation a/k/a Churrascaria Boi Na Brasa, Inc., by and through its attorney of record, Eamon J. Wall, Patterson & Sheridan, LLP, 595 Shrewsbury Ave., Suite 100, Shrewsbury, New Jersey 07702.

Pursuant to Federal Rule of Civil Procedure 33 and the Trademark Trial and Appeal Board Manual of Procedure ("TBMP") Section 405.04, Registrant Boi Na Brasa Holdings, LLC ("Boi Na Brasa" or "Registrant"), registrant by assignment from Boi Na Brasa, Inc., submits these Objections and Answers to Petitioner Terra Sul's ("Terra Sul's") First Set of Interrogatories.

General Objections

1. Boi Na Brasa objects to the Definitions and Instructions and the Interrogatories to the extent that they purport to impose burdens and obligations on Boi Na Brasa greater than those imposed by the Federal Rules of Civil Procedure or the TBMP.
2. Boi Na Brasa objects to each of Terra Sul's Interrogatories to the extent that they seek information protected by the attorney-client privilege and/or work product doctrine, or any other applicable privilege or protection from discovery.

3. Boi Na Braza further objects to the Interrogatories to the extent that they seek confidential business information. Boi Na Braza will produce confidential information when a suitable protective order is signed by the parties and entered by the Trademark Trial and Appeal Board ("TTAB").

4. All responses and objections contained herein are based only upon information and documents which are presently available to and specifically known to Boi Na Braza after conducting a reasonable and diligent investigation.

5. Each and all of these General Objections are hereinafter incorporated by reference in response to the Interrogatories below.

INTERROGATORIESINTERROGATORY NO. 1:

Identify all facts, persons with knowledge and all Documents known to You as of the date of service of Terra Sul's First Set of Interrogatories to Registrant Boi Na Braza that support Paragraph 4 of Your Answer, including but not limited to your denial that the term "boi na braza" is not properly translated as "Ox in embers."

ANSWER:

Registrant objects to this interrogatory because it seeks information that is subject to the attorney-client privilege and/or work product doctrine. Subject to the foregoing specific and general objections, and without waiving the same, Registrant responds that Jonas S. Matheus, Julio C. Matheus, and Joseph R. Matheus (the "Matheus brothers") are each founders of Registrant, and each is a native Brazilian and a fluent speaker of the Portuguese language. As fluent speakers of the language, the Matheus brothers understand the phrase "Boi Na Braza" to be properly translated from Portuguese into English as "Ox in embers." Moreover, Maria A. Laporte, a professional certified translator, member of the American Translators Association, has certified that the translation of "Boi Na Braza", from Portuguese to English, is "Ox in ember" or "Ox on hot coal." According to Ms. Laporte, the correct spelling of the word "Braza" in Portuguese is with an "s" and not a "z." Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Registrant will produce business records, if any, from which the requested information can be gleaned. Discovery is continuing and Registrant reserves the right to supplement these answers after additional discovery.

INTERROGATORY NO. 2:

Identify all facts, persons with knowledge and all Documents known to You as of the date of service of Terra Sul's First Set of Interrogatories to Registrant Boi Na Braza that support

Paragraph 4 of Your Answer, including but not limited to your denial that the term "brazza" is a slang term for things Brazilian.

ANSWER:

Registrant objects to this interrogatory because it seeks information that is subject to the attorney-client privilege and/or work product doctrine. Subject to the foregoing specific and general objections, and without waiving the same, Registrant responds that the Matheus brothers are each founders of Registrant; and each is a native Brazilian and a fluent speaker of the Portuguese language. As fluent speakers of the language, the Matheus brothers do not understand there to be any translation of the word "brazza" from Portuguese to English to be "things Brazilian." Moreover, Maria A. Laporte, a professional certified translator, member of the American Translators Association, has certified that the translation of "Boi Na Brazza", from Portuguese to English, is "Ox in ember" or "Ox on hot coal." According to Ms. Laporte, the correct spelling of the word "Brazza" in Portuguese is with an "s" and not a "z." Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Registrant will produce business records, if any, from which the requested information can be gleaned. Discovery is continuing and Registrant reserves the right to supplement these answers after additional discovery.

INTERROGATORY NO. 3:

Identify all facts, persons with knowledge and all Documents known to You as of the date of service of Terra Sul's First Set of Interrogatories to Registrant Boi Na Brazza that support Paragraph 4 of Your Answer, including but not limited to your denial that the term "boi na brazza" may possibly be translated as "Ox in Brazil" or perhaps "Brazilian Ox."

ANSWER:

Registrant objects to this interrogatory because it seeks information that is subject to the attorney-client privilege and/or work product doctrine. Subject to the foregoing specific and general objections, and without waiving the same, Registrant responds that the Matheus brothers

are each founders of Registrant, and each is a native Brazilian and a fluent speaker of the Portuguese language. As fluent speakers of the language, the Matheus brothers do not understand there to be any translation of the phrase "boi na braza" from Portuguese to English to be "Ox in Brazil" or "Brazilian Ox." Moreover, Maria A. Laporte, a professional certified translator, member of the American Translators Association, has certified that the translation of "Boi Na Braza", from Portuguese to English, is "Ox in ember" or "Ox on hot coal." According to Ms. Laporte, the correct spelling of the word "Braza" in Portuguese is with an "s" and not a "z." Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Registrant will produce business records, if any, from which the requested information can be gleaned. Discovery is continuing and Registrant reserves the right to supplement these answers after additional discovery.

INTERROGATORY NO. 4:

Identify all facts, persons with knowledge and all Documents known to You as of the date of service of Terra Sul's First Set of Interrogatories to Registrant Boi Na Braza that support Paragraph 4 of Your Answer, including but not limited to your denial that "the Brazilian connotations of the term Braza evidence a geographic commercial impression to the relevant consumer."

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Boi Na Braza further objects that the phrase "relevant consumer" is vague and ambiguous. Boi Na Braza further objects to Terra Sul's implication that the relevant consumer is Portuguese-speaking and able to translate "boi na braza" into English. Subject to the foregoing general and specific objections, and without waiving the same, Boi Na Braza does not understand the phrase "boi na braza" to mean "Brazilian Ox" or "Ox in Brazil" (See Registrant's Responses to Interrogatories 1-3). Further,

Registrant does not understand the phrase "brazá" to translate into anything that includes the words "Brazil," "Brazilian," or "things Brazilian," therefore the phrase "boi na brazá" carries no geographic commercial impression. Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Registrant will produce business records, if any, from which the requested information can be gleaned. Discovery is continuing and Registrant reserves the right to supplement these answers after additional discovery.

INTERROGATORY NO. 5:

Identify all facts, persons with knowledge and all Documents known to You as of the date of service of Terra Sul's First Set of Interrogatories to Registrant Boi Na Braza that support Paragraph 6 of Your Answer, including but not limited to your denial that the term "BOI NA BRAZA, when properly translated from Portuguese to English and used in connection with the services set forth in the registration, is merely descriptive or deceptively misdescriptive of them within the meaning of Section 2(e) of the Trademark Act..."

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Boi Na Braza further objects to Terra Sul's implication that the relevant consumer is Portuguese-speaking and able to translate "boi na brazá" into English. Subject to the foregoing general and specific objections, and without waiving the same, Boi Na Braza responds that it does not understand the term "boi na brazá" to mean "Brazilian Ox" or "Ox in Brazil" (See Registrant's Responses to Interrogatories Nos. 1-3). Neither the phrase "boi na brazá" nor "Ox in embers" describes a characteristic or quality of the restaurant services provided under the mark. It likewise is not deceptively misdescriptive of such services as either translated or in the native Portuguese, the mark "BOI NA BRAZA" is not misdescriptive of any characteristic or quality of the services; relevant consumers are not likely to believe that the phrase "boi na brazá" or even "Ox in embers" actually describes the services

rendered, nor is the name likely to induce consumers to patronize the restaurant based on a belief that the phrase "boi na braza" or "Ox in embers" is descriptive somehow of restaurant services, when in fact it is not.

INTERROGATORY NO. 6:

Identify all facts, persons with knowledge and all Documents known to You as of the date of service of Terra Sul's First Set of Interrogatories to Registrant Boi Na Braza that support Paragraph 6 of Your Answer, including but not limited to your denial that the term "BOI NA BRAZA... [is] primarily geographically descriptive ... within the meaning of Section 2(e) of the Trademark Act..."

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Boi Na Braza further objects to Terra Sul's implication that the relevant consumer is Portuguese-speaking and able to translate "boi na braza" into English. Subject to the foregoing general and specific objections, and without waiving the same, Boi Na Braza responds that it understands the phrase "boi na braza" to mean "Ox in embers" or "Ox in ember" and not "Brazilian Ox" or "Ox in Brazil" (See Registrant's Responses to Interrogatories 1-3). The phrase "boi na braza" therefore does not primarily describe the geographic area or region of the source of the services. To Registrant's knowledge, there is no geographic locale known as "boi na braza." Even translated, the phrase "Ox in ember" or "Ox in embers" does not identify any geographic region to Registrant's knowledge.

INTERROGATORY NO. 7:

Identify all facts, persons with knowledge and all Documents known to You as of the date of service of Terra Sul's First Set of Interrogatories to Registrant Boi Na Braza that support Paragraph 6 of Your Answer, including but not limited to your denial that the term "BOI NA BRAZA... [is] geographically deceptively misdescriptive ... within the meaning of Section 2(e)

of the Trademark Act..."

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Boi Na Braza further objects to Terra Sul's implication that the relevant consumer is Portuguese-speaking and therefore able to translate the phrase "boi na braza" into English. Subject to the foregoing general and specific objections, and without waiving the same, Boi Na Braza responds that it understands the phrase "boi na braza" to mean "Ox in embers" or "Ox in ember" and not "Brazilian Ox" or "Ox in Brazil" (See Registrant's Responses to Interrogatories 1-3). There is no implication from the phrase "boi na braza" that the services originate from a geographic locale of this name when in fact they do not. As stated in Registrant's Response to Interrogatory No. 6, neither the phrase "boi na braza" or "Ox in embers" are descriptive of any geographic place.

INTERROGATORY NO. 8:

Identify all facts, persons with knowledge and all Documents known to You as of the date of service of Terra Sul's First Set of Interrogatories to Registrant Boi Na Braza that support Paragraph 7 of Your Answer, including but not limited to your contention that Petitioner's claims are barred by the Doctrine of Laches.

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Subject the foregoing general and specific objections, and without waiving the same, Boi Na Braza responds that upon reasonable information and belief, Boi Na Braza believes that Terra Sul was aware of its restaurant services long before Boi Na Braza initiated any contact with Mr. Farid Saleh and in fact implied a false association with Boi Na Braza's organization. Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Registrant will produce business records, if any, from which the requested

information can be gleaned. Discovery is continuing and Registrant reserves the right to supplement these answers after additional discovery.

INTERROGATORY NO. 9:

Identify all facts, persons with knowledge and all Documents known to You as of the date of service of Terra Sul's First Set of Interrogatories to Registrant Boi Na Braza that support Paragraph 8 of Your Answer, including but not limited to your contention that Petitioner's claims are barred by the Doctrine of Waiver.

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Subject the foregoing general and specific objections, and without waiving the same, Boi Na Braza responds that upon reasonable information and belief, Boi Na Braza believes that Terra Sul was aware of its restaurant services long before Boi Na Braza initiated any contact with Mr. Farid Saleh and in fact implied a false association with Boi Na Braza's organization. Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Registrant will produce business records, if any, from which the requested information can be gleaned. Discovery is continuing and Registrant reserves the right to supplement these answers after additional discovery.

INTERROGATORY NO. 10:

Identify all facts, persons with knowledge and all Documents known to You as of the date of service of Terra Sul's First Set of Interrogatories to Registrant Boi Na Braza that support Paragraph 9 of Your Answer, including but not limited to your contention that Petitioner's claims are barred by the Doctrine of Acquiescence.

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Subject the foregoing general and

specific objections, and without waiving the same, Boi Na Braza responds that upon reasonable information and belief, Boi Na Braza believes that Terra Sul was not only aware of its restaurant services long before Boi Na Braza initiated any contact with Mr. Farid Saleh but in fact implied a false association with Boi Na Braza's organization, therefore evidencing active consent to Boi Na Braza's use of the term "boi na braza." Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Registrant will produce business records, if any, from which the requested information can be gleaned. Discovery is continuing and Registrant reserves the right to supplement these answers after additional discovery.

INTERROGATORY NO. 11:

Identify all facts, persons with knowledge and all Documents known to You as of the date of service of Terra Sul's First Set of Interrogatories to Registrant Boi Na Braza that support Paragraph 10 of Your Answer, including but not limited to your contention that Petitioner's claims are barred by the Doctrine of Estoppel and Equitable Estoppel.

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Subject the foregoing general and specific objections, and without waiving the same, Boi Na Braza responds that upon reasonable information and belief, Boi Na Braza believes that Terra Sul was not only aware of its restaurant services long before Boi Na Braza initiated any contact with Mr. Farid Saleh but in fact implied a false association with Boi Na Braza's organization. Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Registrant will produce business records, if any, from which the requested information can be gleaned. Discovery is continuing and Registrant reserves the right to supplement these answers after additional discovery.

INTERROGATORY NO. 12:

Identify all facts, persons with knowledge and all Documents known to You as of the date of service of Terra Sul's First Set of Interrogatories to Registrant Boi Na Braza that support Paragraph 11 of Your Answer, including but not limited to your contention that Petitioner's claims are barred by the Doctrine of Unclean Hands.

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Subject the foregoing general and specific objections, and without waiving the same, Boi Na Braza responds that upon reasonable information and belief, Boi Na Braza believes that Terra Sul was not only aware of its restaurant services long before Boi Na Braza initiated any contact with Farid Saleh, but in fact implied a false association with Boi Na Braza's organization. Furthermore, upon reasonable belief after diligent investigation, Boi Na Braza believes that Terra Sul has provided certain documentation to Boi Na Braza representing that Churrsascaria Boi Na Braza is incorporated under the laws of the State of New Jersey, when in fact it is not. Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Registrant will produce business records, if any, from which the requested information can be gleaned. Discovery is continuing and Registrant reserves the right to supplement these answers after additional discovery.

INTERROGATORY NO. 13:

Identify each and every instance known by Boi Na Braza of the use of the term "boi na braza," with or without a "TM" designation and with or without a direct association to Boi Na Braza's name, including uses by Boi Na Braza and uses by other entities (whether authorized or not), and including the dates of each instance of use and the product or service associated with each such use and the geographic regions of use.

ANSWER:

Boi Na Braza objects to this interrogatory as it is overly broad and unduly burdensome. Boi Na Braza further objects to this interrogatory as it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Boi Na Braza further objects to this interrogatory because it seeks information that is not within Boi Na Braza's possession, control or custody. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza responds that it has used the "Boi Na Braza" mark continuously in the marketing and advertising of its restaurant services since at least as early as July 1, 1999. Boi Na Braza has used, advertised and promoted the "Boi Na Braza" mark in numerous magazines and publications that are circulated throughout the entire United States and internationally, as well as on its website, located at www.boinabraza.com. Apart from Terra Sul's use of the names "Churrasearia Boi Na Brasa" and "Boi Na Brasa Bar-& Grill," Boi Na Braza is only aware of one other instance of use of the phrase "boi na brasa," by a company named Ravia Investments, for a restaurant in Pampano Beach, Florida. The restaurant is believed to have begun using the name around November of 2006, but as presently advised, is no longer in business. Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Registrant will produce business records, if any, from which the requested information can be gleaned. Discovery is continuing and Registrant reserves the right to supplement these answers after additional discovery.

INTERROGATORY NO. 14:

Identify all facts, persons with knowledge and all Documents known to You as of the date of service of Terra Sul's First Set of Interrogatories to Registrant Boi Na Braza relating to any customer surveys or polls with regard to uses of the term "boi na braza" by Boi Na Braza or others.

ANSWER:

Boi Na Braza objects to this interrogatory as it is overly broad and unduly burdensome. Further, Boi Na Braza objects to this interrogatory because it seeks information that is not within

Boi Na Braza's possession, control or custody. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza is not aware of any customer surveys or polls with regard to uses of the term "boi na braza."

INTERROGATORY NO. 15:

Identify all sources, publications and/or Documents known to You as of the date of service of Terra Sul's First Set of Interrogatories to Registrant Boi Na Braza relating to or evidencing how the term "boi na braza" is distinctive to the relevant public.

ANSWER:

Boi Na Braza objects to this interrogatory as it is overly broad and unduly burdensome. Further, Boi Na Braza objects to this interrogatory because it seeks information that is not within Boi Na Braza's possession, control or custody. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza responds that it is the owner of U.S. Reg. No. 2,534,608 for the mark BOI NA BRAZA. Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Registrant will produce business records, if any, from which the requested information can be gleaned. Discovery is continuing and Registrant reserves the right to supplement these answers after additional discovery. Registrant also directs Terra Sul's attention to Registrant's Response to Request for Production No. 15.

INTERROGATORY NO. 16:

Identify all facts, persons with knowledge and all Documents known to You as of the date of service of Terra Sul's First Set of Interrogatories to Registrant Boi Na Braza relating to the creation or origination of the term "boi na braza" by Registrant.

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza responds that the name "boi na

brasa" is a well known name that is often used in Brazil. Based on their knowledge of the name from its use in Brazil, the Matheus brothers chose this name for their restaurant business and began marketing the business as such at least as early as July 1, 1999. The Matheus brothers changed the "s" to a "z" to give the name more distinctiveness. Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Registrant will produce business records, if any, from which the requested information can be gleaned. Discovery is continuing and Registrant reserves the right to supplement these answers after additional discovery.

INTERROGATORY NO. 17:

Identify all facts, persons with knowledge and all Documents known to You as of the date of service of Terra Sul's First Set of Interrogatories to Registrant Boi Na Braza relating to the marketing, promotion, sale or use of the term "boi na braza" by Registrant.

ANSWER:

Boi Na Braza objects to this interrogatory as it is overly broad and unduly burdensome. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza responds that it has used, advertised and promoted the "BOI NA BRAZA" name for its restaurant services since at least as early as July 1, 1999. It has marketed and advertised in numerous magazines and publications that are circulated throughout the entire United States and internationally, as well as on its website, located at www.boinabraza.com. Boi Na Braza has long engaged the services of Wellspring & Associates to handle the majority of such marketing and advertising on its behalf. Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Registrant will produce business records, if any, from which the requested information can be gleaned. Discovery is continuing and Registrant reserves the right to supplement these answers after additional discovery.

INTERROGATORY NO. 18:

Identify all facts, persons with knowledge and all Documents known to You as of the date of service of Terra Sul's First Set of Interrogatories to Registrant Boi Na Braza relating to the date of first use of the term "boi na braza" by Registrant.

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza responds that the name "boi na brasa" is a well known name that is often used in Brazil. Based on their knowledge of the name from its use in Brazil, the Matheus brothers chose this name for their restaurant business and began marketing the business as such at least as early as July 1, 1999. The Matheus brothers changed the "s" to a "z" to give the name more distinctiveness. Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Registrant will produce business records, if any, from which the requested information can be gleaned. Discovery is continuing and Registrant reserves the right to supplement these answers after additional discovery.

INTERROGATORY NO. 19:

Identify all facts, persons with knowledge and all Documents known to You as of the date of service of Terra Sul's First Set of Interrogatories to Registrant Boi Na Braza relating to Registrant's knowledge or awareness of Terra Sul's use of the terms "boi na brasa" and/or "churrascaria boi na brasa."

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza responds that it had no knowledge of Terra Sul's use of the terms "boi na brasa" and/or "churrascaria boi na brasa" until

it was informed by Terra Sul's counsel, on or about January 19, 2007. Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Registrant will produce business records, if any, from which the requested information can be gleaned. Discovery is continuing and Registrant reserves the right to supplement these answers after additional discovery.

INTERROGATORY NO. 20:

Identify all facts, persons with knowledge and all Documents known to You as of the date of service of Terra Sul's First Set of Interrogatories to Registrant Boi Na Braza relating to the geographic scope or area (by city, state and country) of Registrant's use of the term "boi na braza" in connection with its restaurant business.

ANSWER:

Boi Na Braza objects to this interrogatory as it is overly broad and unduly burdensome. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza responds that it operates restaurants in Dallas, Texas and Cincinnati, Ohio, formerly in Atlanta Georgia, and currently is the licensor of the "BOI NA BRAZA" name in Atlanta, Georgia. Boi Na Braza advertises the "BOI NA BRAZA" mark nationally and internationally through the services of Wellspring & Associates. Specifically, its advertisements are placed in American Way magazine and Delta Sky magazine, which have a circulation that covers the entire United States, as well as numerous countries internationally. Its website, located at www.boinabraza.com, may viewed around the world. Boi Na Braza also advertises in publications that are local to its various restaurants, located in Dallas, Texas and Cincinnati, Ohio. There is also advertising local to a restaurant in Atlanta, Georgia, which is a licensee of the "BOI NA BRAZA" trademark. Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Registrant will produce business records, if any, from which the requested information can be gleaned. Discovery is continuing and Registrant reserves the right to supplement these answers after additional discovery.

INTERROGATORY NO. 21:

Identify any and all expert witnesses who may testify at trial through deposition, declaration and/or affidavit, and consulting expert witnesses whose mental impressions or opinions have been reviewed by a testifying expert, and in your answer include the following:

- (a) The expert's name, business name, employer, address, and telephone number;
- (b) The facts known by the expert that relate to or form the basis of the expert's mental impressions and opinions formed or made in connection with the case and in which discovery is sought, regardless of when and how the factual information was acquired;
- (c) The expert's mental impressions and opinions formed or made in connection with the case and in which discovery is sought, and any methods used to derive;
- (d) Any bias of the witness;
- (e) A description of all documents, tangible things, reports, models, or data compilations that have been provided to, reviewed by, or prepared by, or for the expert in anticipation of a testifying expert's testimony; and
- (f) Attach the expert's current resume and bibliography.

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza responds that it has yet to determine the need for any expert witnesses and thus has not, as yet, identified any such expert witnesses to testify at trial. Registrant will duly supplement its response if necessary.

INTERROGATORY NO. 22:

Identify the name, address, employer, and telephone number of persons having knowledge of relevant facts supporting or refuting each and every allegation in Your Answer to Terra Sul's Petition to Cancel, the relevant facts believed by You to be known by each such

person and whether that person is expected to be called to testify at trial through deposition, declaration and/or affidavit.

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Subject to the foregoing general and specific objections, and without waiving the same, Boi Na Braza responds that it believes the following people to have relevant facts supporting our Answer to Terra Sul's Petition to Cancel. Boi Na Braza has not made any decisions as to whether it expects to call any of the following people to testify through deposition, declaration and/or affidavit.

Mr. Jonas Matheus
Boi Na Braza Holdings, LLC
1452 Hughes Road, Suite 330
Grapevine, Texas 76051
817-652-0526

Mr. Matheus is the Secretary of Boi Na Braza Holdings, LLC. He is believed to be familiar with information regarding the general business operations of Boi Na Braza and its conception, development and marketing of the "BOI NA BRAZA" name for its restaurants.

Mr. Julio Matheus
Boi Na Braza Holdings, LLC
1452 Hughes Road, Suite 330
Grapevine, Texas 76051
817-652-0526

Mr. Matheus is Vice President of Boi Na Braza Holdings, LLC. He is believed to be familiar with information regarding the general business operations of Boi Na Braza and its conception, development and marketing of the "BOI NA BRAZA" name for its restaurants.

Mr. Joseph Matheus
Boi Na Braza Holdings, LLC
1452 Hughes Road, Suite 330
Grapevine, Texas 76051
817-652-0526

Mr. Matheus is President of Boi Na Braza Holdings, LLC. He is believed to be familiar with information regarding the general business operations of Boi Na Braza and its conception, development and marketing of the "BOI NA BRAZA" name for its restaurants.

Neimar Hensel
Boi Na Braza Cincinatti, LLC

1452 Hughes Road, Suite 330
Grapevine, Texas 76051
817-652-0526

Mr. Hensel is a manager at the Cincinnati location of Boi Na Braza. He is believed to have knowledge regarding Terra Sul's knowledge of and statements regarding Boi Na Braza.

Haroldo F. De Mello
Formerly of Boi Na Braza Atlanta, LLC
Rua Frei Mansueto #1520, Apt. 420
Fortaleza, Ceara
Brazil

Mr. De Mello is a former manager of the Atlanta location of Boi Na Braza. He is believed to have knowledge regarding Terra Sul's knowledge of and statements regarding Boi Na Braza.

INTERROGATORY NO. 23:

Identify all of the channels of trade in or through which Registrant markets and/or sells or intends to market and/or sell any product or service of Registrant under the mark "boi na braza," and for each such product or service of Registrant state the annual dollar volume of such sales in or to the United States in that channel for each year (or for each month for periods less than a year) from the date of the first such sale in each channel to the present.

ANSWER:

Boi Na Braza objects to this interrogatory as it is overly broad and unduly burdensome. Boi Na Braza further objects to this interrogatory as it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Boi Na Braza further objects to this interrogatory as it seeks confidential business information. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza responds that it operates restaurants in Dallas, Texas and Cincinnati, Ohio, formerly in Atlanta, Georgia, and currently is the licensor of the "BOI NA BRAZA" name in Atlanta, Georgia. Boi Na Braza advertises the "BOI NA BRAZA" mark nationally and internationally through the services of Wellspring & Associates. Specifically, its advertisements are placed in American Way magazine and Delta Sky magazine, which have a circulation that covers the entire United States, as well as numerous

countries internationally. It also advertises its services through its website, located at www.boinabraza.com. Boi Na Braza also advertises in publications that are local to its various restaurants, located in Dallas, Texas and Cincinnati, Ohio. There is also advertising local to a restaurant in Atlanta, Georgia, which is a licensee under the "BOI NA BRAZA" trademark. Pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, Registrant will produce business records, if any, from which the requested information can be gleaned. Discovery is continuing and Registrant reserves the right to supplement these answers after additional discovery.

INTERROGATORY NO. 24:

For all answers and responses to Terra Sul's First Requests for Admission (No. 1-xx) not unequivocally admitted, state the basis for, and identify all facts, persons with knowledge and Documents supporting Registrant's denial or partial admission of each individual Request for Admission by Terra Sul.

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Boi Na Braza further objects to the extent that this interrogatory seeks information relating to an admission request that was objected to and, as to any such request, objects to providing such information for the same reason the request was objected to. Subject to the foregoing general and specific objections, and without waiving the same, Boi Na Braza responds as follows:

Answering to Admission Requests No. 1-9, 11-12:

Request No. 1: Denied because Boi Na Braza used the term "boi na braza" in connection with its business prior to July 1, 1999.

Request No. 2: Admitted to the extent that Boi Na Braza has never owned or operated a restaurant by the names "Boi Na Braza," "Boi Na Brasa," or "Churrascaria Boi Na Brasa" in New Jersey.

Request No. 3: Admitted to the extent that Boi Na Braza has never owned or operated a restaurant by the names "Boi Na Braza," "Boi Na Brasa," or "Churrascaria Boi Na Brasa" in New York.

Request No. 4: Admitted to the extent that Boi Na Braza has never operated a Brazilian-style churrascarian restaurant in New Jersey.

Request No. 5: Admitted to the extent that Boi Na Braza has never operated a Brazilian-style churrascarian restaurant in New York.

Request No. 6: Denied because Boi Na Braza does not have enough information regarding this request to offer a response at this time.

Request No. 7: Denied because Boi Na Braza does not have enough information regarding this request to offer a response, and therefore it denies the same.

Request No. 8: Denied because the term "braza" does not translate from Portuguese to English as "things Brazilian."

Request No. 9: Denied because Registrant does serve food from Brazil that it is imported through a third party.

Request No. 11: Denied because Boi Na Braza owns U.S. Reg. No. 2,534,608 for the phrase BOI NA BRAZA. This information is of public record.

Request No. 12: Denied because Boi Na Braza owns U.S. Reg. No. 2,534,608 for the phrase BOI NA BRAZA. This information is of public record.

INTERROGATORY NO. 25:

Identify separately for each individual Interrogatory 1-24, all persons involved in any way in the submission of information for or the preparation of answers, objections or responses to these interrogatories.

ANSWER:

Boi Na Braza objects to this interrogatory because it is overly broad, unduly burdensome and duplicative. Subject to the foregoing specific and general objections, Boi Na Braza responds that the following people were involved in the preparation of answers, objections or responses to these interrogatories:

Jonas Matheus

Julio Matheus

Joseph Matheus

AUG. 7. 2007 5:15PM

THOMPSON & KNIGHT

NO. 816—P. 23

Dated: 8.7.2007

Respectfully submitted,

BOI NA BRAZA HOLDINGS, LLC

By: Remy M. Davis
Herbert J. Hammond
Deborah L. Lively
Remy M. Davis
THOMPSON & KNIGHT LLP
1700 Pacific Avenue
Suite 3300
Dallas, Texas 75201
(214) 969-1781
(214) 969-1751 (Fax)

Attorneys for Registrant
Boi Na Braza Holdings, LLC

2213854.1

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing First Set of Interrogatories is being served upon Petitioner's attorney of record, Eamon J. Wall, by certified mail, return receipt requested, on this 7th day of August, 2007, in an envelope addressed to:

Eamon J. Wall
Patterson & Sheridan, LLP
595 Shrewsbury Avenue, Suite 100
Shrewsbury, New Jersey 07702

Remy M. Davis
Remy M. Davis

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Terra Sul Corporation a/k/a
Churrascaria Boi Na Braza

Petitioner,

v.

Boi Na Braza, Inc.,

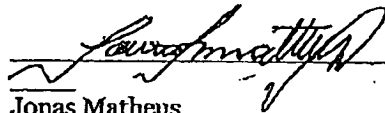
Respondent.

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Cancellation No. 92047056

VERIFICATION

I am over the age of eighteen years. I am Secretary of Boi Na Braza Holdings, LLC ("Boi Na Braza"), registrant by assignment from Boi Na Braza, Inc., and I am competent to make this affidavit. The information set forth in the foregoing answers to Petitioner's interrogatories (1) is true and correct based on my own personal knowledge, or (2) is true and correct to the best of my knowledge, information, and belief, because it has been collected under my direction and made available to me by agents of Boi Na Braza, whom I believe to be reliable and whom I know to have personal knowledge of the facts collected. On this basis, I am authorized to make this affidavit for and on behalf of Boi Na Braza in this proceeding.



Jonas Matheus
Secretary
Boi Na Braza Holdings, LLC

Cancellation No. 92047056

Terra Sul Corporation v. Boi Na Brasa, Inc.

EXHIBIT C

Offered by Terra Sul Corporation

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Terra Sul Corporation a/k/a)	
Churrascaria Boi Na Brasa, Inc.,)	
)	
Petitioner,)	
)	
vs.)	Cancellation No. 92047056
)	
Boi Na Braza, Inc.,)	
)	
Registrant.)	

**OBJECTIONS AND RESPONSES TO PETITIONER TERRA SUL'S
FIRST SET OF REQUESTS FOR ADMISSIONS**

To: Terra Sul Corporation a/k/a Churrascaria Boi Na Brasa, Inc., by and through its attorney of record, Eamon J. Wall, Patterson & Sheridan, LLP, 595 Shrewsbury Ave., Suite 100, Shrewsbury, New Jersey 07702.

Pursuant to Fed. R. Civ. P. 36 and the Trademark Trial and Appeal Board Manual of Procedure ("TBMP") Section 407.03, Registrant Boi Na Braza Holdings, LLC ("Boi Na Braza" or "Registrant"), registrant by assignment from Boi Na Braza, Inc., hereby submits these Objections and Responses to Petitioner Terra Sul's ("Terra Sul") First Set of Requests for Admission (No. 1-12) as follows:

General Objections

1. Boi Na Braza objects to Petitioner's Definitions and Instructions to the extent that they purport to impose a greater obligation on Boi Na Braza than is required by the Federal Rules of Civil Procedure or the TBMP.
2. Boi Na Braza objects to Petitioner's Definitions and Instructions and requests to the extent that they are vague and ambiguous.

3. Boi Na Braza objects to Petitioner's requests to the extent that they seek information protected by the attorney-client privilege and/or work product doctrine or any other applicable privilege or protection from discovery.

4. Boi Na Braza objects to Petitioner's requests to the extent that they seek information that is not within Boi Na Braza's possession, custody or control.

REQUEST FOR ADMISSIONS

REQUEST NO. 1:

Admit that Registrant's first use of the term "boi na braza" was on or after July 1, 1999.

RESPONSE:

Denied.

REQUEST NO. 2:

Admit that Registrant has never owned or operated a restaurant in the New Jersey area under the names "Boi Na Braza," "Boi Na Brasa" or "Churrascaria Boi Na Brasa."

RESPONSE:

Boi Na Braza objects that the phrase "New Jersey area" is vague. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza admits that it has never owned or operated a restaurant under the names "Boi Na Braza," "Boi Na Brasa," or "Churrascaria Boi Na Brasa" in New Jersey.

REQUEST NO. 3:

Admit that Registrant has never owned or operated a restaurant in the New York area under the names "Boi Na Braza," "Boi Na Brasa" or "Churrascaria Boi Na Brasa."

RESPONSE:

Boi Na Braza objects that the phrase "New York area" is vague. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza admits that it has never owned or operated a restaurant under the names "Boi Na Braza," "Boi Na Brasa," or "Churrascaria Boi Na Brasa" in New York.

REQUEST NO. 4:

Admit that Registrant has never operated a Brazilian-style churrascarian restaurant in the New Jersey area.

RESPONSE:

Boi Na Braza objects that the phrase "New Jersey area" is vague. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza admits that it has never operated a Brazilian-style churrascarian restaurant in New Jersey.

REQUEST NO. 5:

Admit that Registrant has never operated a Brazilian-style churrascarian restaurant in the New York area.

RESPONSE:

Boi Na Braza objects that the phrase "New York area" is vague. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza admits that it has never operated a Brazilian-style churrascarian restaurant in New York.

REQUEST NO. 6:

Admit that Petitioner used the terms "Churrascaria Boi Na Brasa" and "Boi Na Brasa" prior to Registrant's first use of the term "Boi Na Braza."

RESPONSE:

After reasonable inquiry, Boi Na Braza is unable to either admit or deny and therefore it denies this request.

REQUEST NO. 7:

Admit that Petitioner used the terms "Churrascaria Boi Na Brasa" and "Boi Na Brasa" in New Jersey prior to Boi Na Braza's registration of the term "Boi Na Braza" as a trademark.

RESPONSE:

After a reasonable inquiry, Boi Na Braza is unable to either admit or deny and therefore it denies this request.

REQUEST NO. 8:

Admit that the term “Braza” is a slang term for “things Brazilian” when translated from Portuguese to English.

RESPONSE:

Denied.

REQUEST NO. 9:

Admit that Registrant’s “Boi Na Braza” restaurant(s) do not serve food or food-related products imported directly from Brazil.

RESPONSE:

Denied, except that Registrant admits that it serves food products imported from Brazil through third parties.

REQUEST NO. 10:

Admit that Registrant’s “Boi Na Braza” restaurant(s) do not serve Ox or Ox-based beef directly imported from Brazil.

RESPONSE:

Admitted.

REQUEST NO. 11:

Admit that Registrant does not own any trademark or proprietary rights in the terms “churrascaria boi na brasa” and/or “boi na brasa.”

RESPONSE:

Denied.

REQUEST NO. 12:

Admit that Registrant does not seek to own any trademark or proprietary rights in the terms “churrascaria boi na brasa” and/or “boi na brasa.”

RESPONSE:

Denied.

Dated: 8.7.2007

Respectfully submitted,

BOI NA BRAZA HOLDINGS, LLC

By: Remy M. Davis

Herbert J. Hammond

Deborah L. Lively

Remy M. Davis

THOMPSON & KNIGHT LLP

1700 Pacific Avenue

Suite 3300

Dallas, Texas 75201

(214) 969-1781

(214) 969-1751 (Fax)

Attorneys for Registrant

Boi Na Braza Holdings, LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Request for Admissions is being served upon Petitioner's attorney of record, Eamon J. Wall, by certified mail, return receipt requested, on this 1st day of August, 2007, in an envelope addressed to:

Eamon J. Wall
Patterson & Sheridan, LLP
595 Shrewsbury Avenue, Suite 100
Shrewsbury, New Jersey 07702

Remy M. Davis
Remy M. Davis

Cancellation No. 92047056

Terra Sul Corporation v. Boi Na Brasa, Inc.

EXHIBIT D

Offered by Terra Sul Corporation

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Terra Sul Corporation a/k/a)	
Churrascaria Boi Na Brasa,)	
)	
Petitioner,)	
)	
vs.)	Cancellation No. 92047056
)	
Boi Na Braza, Inc.,)	
)	
Registrant.)	

**OBJECTIONS AND ANSWERS TO PETITIONER TERRA SUL'S
SECOND SET OF INTERROGATORIES (NOS. 26-50) AND REQUESTS FOR
ADMISSION (NOS. 13-21) TO REGISTRANT BOI NA BRAZA**

To: Terra Sul Corporation a/k/a Churrascaria Boi Na Brasa, by and through its attorney of record, Eamon J. Wall, Patterson & Sheridan, LLP, 595 Shrewsbury Ave., Suite 100, Shrewsbury, New Jersey 07702.

Pursuant to Federal Rules of Civil Procedure 33 and 36 and the Trademark Trial and Appeal Board Manual of Procedure ("TBMP") Sections 405.04 and 407.03, Registrant Boi Na Braza, Inc. ("Registrant" or "Boi Na Braza") submits these Objections and Answers to Petitioner Terra Sul's ("Terra Sul's") Second Set of Interrogatories and Requests for Admission.

General Objections

1. Boi Na Braza objects to the Definitions and Instructions and the Interrogatories and Requests for Admission to the extent that they purport to impose burdens and obligations on Boi Na Braza greater than those imposed by the Federal Rules of Civil Procedure or the TBMP.

2. Boi Na Braza objects to each of Terra Sul's Interrogatories and Requests for Admission to the extent that they seek information protected by the attorney-client privilege and/or work product doctrine, or any other applicable privilege or protection from discovery.

3. All responses and objections contained herein are based only upon information and documents which are presently available to and specifically known to Boi Na Braza after conducting a reasonable and diligent investigation.

4. Each and all of these General Objections are hereinafter incorporated by reference in response to the Interrogatories and Requests for Admission below.

PETITIONER'S SECOND SET OF DISCOVERY REQUESTS**REQUEST FOR ADMISSION NO. 13:**

Admit that Registrant's first use of the term "boi na braza" was on or after June 24, 1999.

ANSWER:

Denied.

INTERROGATORY NO. 26:

If your answer to Admission No. 13 is not unequivocally "admitted," identify all evidence supporting any use of the term "boi na braza" by Registrant prior to June 24, 1999.

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza responds that in the second half of 1998, Jonas Matheus, Julio Matheus and Joseph Matheus (the "Matheus Brothers") researched and chose this name for their restaurant business and purchased land to build their first restaurant.

REQUEST FOR ADMISSION NO. 14:

Admit that Registrant's first use of the term "boi na braza" was on or after June 1, 1999.

ANSWER:

Denied.

INTERROGATORY NO. 27:

If your answer to Admission No. 14 is not unequivocally "admitted," identify all evidence supporting any use of the term "boi na braza" by Registrant prior to June 1, 1999.

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza responds that in the second half of 1998, the Matheus Brothers researched and chose this name for their restaurant business and purchased land to build their first restaurant.

REQUEST FOR ADMISSION NO. 15:

Admit that the term "boi na braza" was first used in connection with Registrant's goods and services on July 19, 1999.

ANSWER:

Denied.

REQUEST FOR ADMISSION NO. 16:

Admit that the term "boi na braza" was first used in interstate commerce in connection with Registrant's goods and services on September 11, 2000.

ANSWER:

Denied.

INTERROGATORY NO. 28:

Identify the relevant and typical consumer of Registrant's goods and services.

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is protected by the attorney-client privilege and/or work product doctrine. Boi Na Braza further objects that the phrase "relevant and typical consumer" is vague and ambiguous. Subject to the foregoing general and specific objections, and without waiving the same, Boi Na Braza responds that members of the United States general public patronize its restaurant.

INTERROGATORY NO. 29:

In conjunction with your response to Interrogatory No. 28, identify and describe what the term "braza" means to the relevant and typical consumer of Registrant's goods and services.

ANSWER:

Boi Na Braza objects to this interrogatory as it implies that the relevant consumer is Portuguese-speaking and able to translate the phrase "boi na braza" into English. Boi Na Braza further objects to this interrogatory as it seeks information which Registrant has no way of knowing. Subject to the foregoing general and specific objections, Boi Na Braza maintains that members of the United States general public patronize its restaurant who, with rare exceptions, are not likely to speak Portuguese. Boi Na Braza therefore responds that the term "braza" likely has no meaning to members of the United States general public who patronize its restaurant.

REQUEST FOR ADMISSION NO. 17:

Admit that the ordinary consumer of Registrant's goods and services may understand the term "braza" to mean "things Brazilian" or relating to Brazil.

ANSWER:

Denied.

INTERROGATORY NO. 30:

If your answer to Admission No. 17 is not unequivocally "admitted," state the basis for Registrant's answer to Admission No. 17 and identify any and all evidence supporting

Registrant's contention that the ordinary consumer would not understand the term "braza" to mean "things Brazilian" or relating to Brazil.

ANSWER:

Boi na Braza objects to this interrogatory as the term "ordinary consumer" is vague and ambiguous. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza responds that the members of the United States general public who patronize Registrant's restaurants are generally not Portuguese-speaking and therefore do not understand the term "braza" to have any meaning, nor do they understand it to mean "things Brazilian" or relating to Brazil. Furthermore, the Matheus Brothers are each founders of Boi Na Braza and each is a native Brazilian and a fluent speaker of the Portuguese language. As fluent speakers of the language, the Matheus Brothers do not understand the translation of the word "braza" from Portuguese to English to be "things Brazilian" or relating to Brazil. Moreover, Maria A. Laporte, a professional certified translator, member of the American Translators Association, has certified that the translation of "Boi Na Braza," from Portuguese to English, is "Ox in ember" or "Ox on hot coal." According to Ms. Laporte, the correct spelling of the word "Braza" in Portuguese is with an "s" and not a "z."

REQUEST FOR ADMISSION NO. 18:

Admit that the domain name <boinabraza.com> was originally registered on June 26, 2000.

ANSWER:

Admitted.

INTERROGATORY NO. 31:

Describe in detail, and identify all evidence supporting your answer, all of the facts and circumstances concerning Registrant's adoption of the term "boi na braza" as a potential trademark and all the reasons for the adoption of "boi na braza" as a trademark for Registrant's goods or services.

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is protected by the attorney-client privilege and/or work doctrine. Further, Boi Na Braza objects to this interrogatory on the basis that it has been sufficiently addressed in Boi Na Braza's Objections and Answers to Petitioner Terra Sul's First Set of Interrogatories. Subject to the foregoing specific and general objections and without waiving the same, Boi Na Braza responds that the term "boi na braza" is a well known term that is used often in Brazil. Based on their knowledge of term from its use in Brazil, the Matheus Brothers chose this name for their restaurant business and began using this name for the business as such at least as early as July 1, 1999. The Matheus Brothers changed the "s" to a "z" to give the name more distinctiveness.

INTERROGATORY NO. 32:

Identify all types and forms of marketing activity or advertising in commerce by Registrant using the mark "boi na braza" in conjunction with Registrant's goods and services from 1999 to the present time.

ANSWER:

Boi Na Braza objects to this interrogatory as it is overly broad and unduly burdensome. Further, Boi Na Braza objects to this interrogatory on the basis that it has been sufficiently addressed in Boi Na Braza's Objections and Answers to Petitioner Terra Sul's First Set of Interrogatories. Subject to the foregoing specific and general objections and without waiving the same, Boi Na Braza responds that it has marketed and advertised in numerous magazines and publications that are circulated throughout the entire United States and internationally, as well as on its website, located at www.boinabraza.com. Boi Na Braza has long engaged the services of Wellspring & Associates to handle the majority of such marketing and advertising efforts on its behalf. Specifically, its advertisements are placed in American Way magazine and Delta Sky magazine, as well as in publications that are local to Boi Na Braza's Dallas, Texas and Cincinnati, Ohio restaurant locations. There is also advertising local to a restaurant in Atlanta, Georgia, which is a licensee of the "BOI NA BRAZA" trademark.

INTERROGATORY NO. 33:

For each of the types and forms of advertising identified in your answer to Interrogatory No. 32, identify the date, time and place of each marketing activity or advertisement.

ANSWER:

Boi Na Braza objects to this interrogatory as it is overly broad and unduly burdensome. Further, Boi Na Braza objects to this interrogatory on the basis that it has been sufficiently addressed in Boi Na Braza's Objections and Answers to Petitioner Terra Sul's First Set of Interrogatories and Boi Na Braza's Objections and Answer to Petitioner's First Set of Requests for Production. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza responds that these advertisements have been continuous and ongoing since at least as early as July 1, 1999 and have been principally conducted through the services of Wellspring & Associates. Boi Na Braza directs Petitioner's attention to documents already produced pursuant to Petitioner Terra Sul's Request for Production No. 7.

INTERROGATORY NO. 34:

For each of the types and forms of advertising identified in your answer to Interrogatory No. 32, identify the amount of money spent by Registrant on each marketing activity or advertisement.

ANSWER:

Boi Na Braza objects to this interrogatory as it is overly broad and unduly burdensome. Further, Boi Na Braza objects to this interrogatory on the basis that it has been sufficiently addressed in Boi Na Braza's Objections and Answers to Petitioner Terra Sul's First Set of Interrogatories and Boi Na Braza's Objections and Answer to Petitioner's First Set of Requests for Production. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza responds that it has spent in excess of three million U.S. dollars (\$3,000,000.00 USD) in advertising its "BOI NA BRAZA" mark through the various means of advertisements. Boi Na Braza directs Petitioner's attention to documents already produced pursuant to Petitioner Terra Sul's Request for Production No. 7.

REQUEST FOR ADMISSION NO. 19:

Admit that there is no evidence of any actual confusion by the relevant public concerning Petitioner's use of the terms "Churrascaria Boi Na Braza" or "Boi Na Braza" in relation to Registrant's mark "boi na braza."

ANSWER:

Denied.

INTERROGATORY NO. 35:

If your answer to Admission No. 19 is not unequivocally "admitted," identify all instances of alleged actual confusion by the relevant public and identify all evidence in support thereof.

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is subject to the attorney-client privilege and/or work product doctrine. Subject to the foregoing specific and general objections and without waiving the same, Boi Na Braza responds that on several occasions, members of its staff at the Atlanta, Georgia and Dallas, Texas locations were approached by consumers claiming to have dined at Boi Na Braza's restaurant in New Jersey. When the staff informed the consumers that there was no related restaurant in New Jersey, some consumers claimed that staff from the New Jersey restaurant claimed that there was a relationship between the restaurants.

INTERROGATORY NO. 36:

If your answer to Admission No. 19 is not unequivocally "admitted," identify each of the members of the relevant public that are allegedly confused, when the alleged confusion occurred, and where the alleged confusion occurred.

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is subject to the attorney-client privilege and/or work product doctrine. Subject to the foregoing specific and general objections and without waiving the same, Boi Na Braza responds that the members of the general public that were confused were not regular customers and names were not recorded. The instances of confusion occurred between the years of 2003 and 2006 at the Atlanta, Georgia and Dallas, Texas locations of the Boi Na Braza restaurants.

INTERROGATORY NO. 37:

Identify the physical location of all current and/or previously-existing restaurants or other entities associated with or identified by Registrant's mark.

ANSWER:

Boi Na Braza
4025 William D. Tate
Grapevine, Texas 76051

Boi Na Braza

441 Vine Street
Cincinnati, Ohio 45202

Boi Na Braza
3149 E Shadowlawn Ave NE
Atlanta, Georgia 30305-2405

REQUEST FOR ADMISSION NO. 20:

Admit that Registrant never owned, operated or controlled any restaurant or other entity associated with or identified by Registrant's mark "boi na braza" in the State of New Jersey.

ANSWER:

Admitted.

INTERROGATORY NO. 38:

If your answer to Admission No. 20 is not unequivocally "admitted," identify each restaurant or other entity associated with or identified by Registrant's mark "boi na braza" in the State of New Jersey.

ANSWER:

REQUEST FOR ADMISSION NO. 21:

Admit that Registrant has never owned, operated or controlled any restaurant or other entity associated with or identified by Registrant's mark "boi na braza" in the State of New York.

ANSWER:

Admitted.

INTERROGATORY NO. 39:

If your answer to Admission No. 21 was not unequivocally "admitted," identify each restaurant or other entity associated with or identified by Registrant's mark "boi na braza" in the State of New York.

ANSWER:

INTERROGATORY NO. 40:

Identify any current or previously-existing plans or intentions by Registrant to open or operate a restaurant in New Jersey using the "boi na braza" mark, and identify all evidence supporting any such plans or intentions.

ANSWER:

Subject to the foregoing general objections, and without waiving the same, Boi Na Braza responds that it has no definite plans or intentions to open or operate a restaurant in New Jersey using the "boi na braza" mark.

INTERROGATORY NO. 41:

Identify any current or previously-existing plans or intentions by Registrant to open or operate a restaurant in New York using the "boi na braza" mark, and identify all evidence supporting any such plans or intentions.

ANSWER:

Subject to the foregoing general objections, and without waiving the same, Boi Na Braza responds that it intends to open a restaurant in New York under the "boi na braza" mark in the future.

INTERROGATORY NO. 42:

Identify any and all marketing activity or advertisements directed to the State of New Jersey by Registrant related to Registrant's restaurants or related entities and using the mark "boi na braza" in connection therewith.

ANSWER:

Boi Na Braza objects to this interrogatory as it is overly broad and unduly burdensome. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza responds that its advertising is both national and global in nature. Specifically, its advertisements are placed in American Way magazine and Delta Sky magazine, which have a circulation that covers the entire United States. Its website, located at www.boinabraza.com, may be viewed around the world.

INTERROGATORY NO. 43:

Identify any and all marketing activity or advertisements directed to the State of New York by Registrant relating to Registrant's restaurants or related entities and using the mark "boi na braza" in connection therewith.

ANSWER:

Boi Na Braza objects to this interrogatory as it is overly broad and unduly burdensome. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza responds that its advertising is both national and global in nature. Specifically, its advertisements are placed in American Way magazine and Delta Sky magazine, which have a circulation that covers the entire United States. Its website, located at www.boinabraza.com, may be viewed around the world.

INTERROGATORY NO. 44:

Identify all evidence supporting Registrant's contention that "Boi Na Braza believes that Terra Sul was not only aware of its restaurant services long before Boi Na Braza initiated any contact with Mr. Farid Saleh but in fact implied a false association with Boi Na Braza's organization" as stated in Registrant's Response to Interrogatory Nos. 8-12, dated August 7, 2007.

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is protected by the attorney-client privilege and/or work product doctrines. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza directs Petitioner's attention to its Answer to Interrogatory Nos. 35 and 36 above. Boi Na Braza further responds that based on the comments of consumers that have approached the staff of the Atlanta, Georgia and Dallas, Texas Boi Na Braza restaurant locations as outlined above as early as 2003, Boi Na Braza believes that Terra Sul was aware of its restaurant services long before Boi Na Braza initiated any contact with Mr. Farid Saleh and in fact implied a false association with Boi Na Braza's organization.

INTERROGATORY NO. 45:

If your answer to any of Admission Nos. 13-21 is not unequivocally "admitted," state the basis for, and identify all facts and evidence, supporting your denial of each individual Request for Admission.

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is protected by that attorney-client privilege and/or work product doctrine. Boi Na Braza further objects to the extent that this interrogatory seeks information relating to an admission request was objected to and, as to any such request, objects to providing such information for the same reason the request was objected to. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza responds as follows:

Answering to Admission Requests No. 13-17, 19:

Request No. 13: Denied because Registrant's first use of the term "boi na braza" was prior to June 24, 1999.

Request No. 14: Denied because Registrant's first use of the term "boi na braza" was prior June 1, 1999.

Request No. 15: Denied because the term "boi na braza" was first used in connection with Boi Na Braza's goods and services at least as early as July 19, 1999.

Request No. 16: Denied because the term "boi na braza" was first used in interstate commerce in connection with Boi Na Braza's goods and services prior to September 11, 2000.

Request No. 17: Denied because the ordinary consumer of Boi Na Braza's goods and services does not understand the term "braza" to mean "things Brazilian" or relating to Brazil.

Request No. 19: Denied because there have been instances of actual consumer confusion.

INTERROGATORY NO. 46:

If you contend that you have any trademark rights or proprietary interests in the terms "churrascaria boi na braza" and/or "boi na braza," state the basis for your contention and identify all evidence in support thereof.

ANSWER:

Subject to the foregoing general objections, and without waiving the same, Boi Na Braza responds that it is the owner of U.S. Registration No. 2,534,608 for the mark BOI NA BRAZA in connection with restaurant services. The term "churrascaria" is purely descriptive of the services and the term "boi na brasa" is a phonetic equivalent to the mark BOI NA BRAZA. The registration is prima facie evidence of the validity of the mark, of the registration of the mark, of Boi Na Braza's ownership of the mark and of Boi Na Braza's exclusive right to use the mark in commerce on or in connection with the services specified in the registration.

INTERROGATORY NO. 47:

If you seek to own any trademark rights or proprietary interests in the terms "churrascaria boi na brasa" and/or "boi na brasa," identify all previous or planned attempts to acquire and/or register such rights.

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is subject to the attorney-client privilege and/or work product doctrine. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza responds that through its ownership of Registration No. 2,534,608 for the mark BOI NA BRAZA, it owns trademark rights or proprietary interests in the terms "churrascaria boi na brasa" and/or "boi na brasa" given the purely descriptive nature of the word "churrascaria" and the phonetic equivalence of the term "boi na brasa" and Boi Na Braza's registration for BOI NA BRAZA.

INTERROGATORY NO. 48:

If you contend that Petitioner is improperly using the terms "churrascaria boi na brasa" and/or "boi na brasa" to identify its restaurant business, state the basis of your contention and identify all evidence in support thereof.

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is subject to the attorney-client privilege and/or work product doctrine. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza responds that it is the owner of U.S. Reg. No. 2,534,608 for the mark BOI NA BRAZA. The registration is prima facie evidence of the validity of the mark, of the registration of the mark, of Boi Na Braza's ownership of the mark and of Boi Na Braza's exclusive right to use the mark in commerce on or in connection with the services specified in the registration. Although Petitioner claims rights in a confusingly similar mark, Petitioner has yet to establish ownership of prior rights in such mark. Further, Boi Na Braza is of the belief that Petitioner has claimed an association with Boi Na Braza to members of the general public, when in fact no such association exists.

INTERROGATORY NO. 49:

If you contend that Registrant has priority of use or superior rights over Petitioner to use the terms "churrascaria boi na brasa" and/or "boi na brasa" in the State of New Jersey, state the basis for your contention and identify all evidence in support thereof.

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is subject to the attorney-client privilege and/or work product doctrine. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza responds that it is the owner of U.S. Reg. No. 2,534,608 for the mark BOI NA BRAZA. The registration is prima facie evidence of the validity of the mark, of the registration of the mark, of Boi Na Braza's ownership of the mark and of Boi Na Braza's exclusive right to use the mark in commerce on or in connection with the services specified in the registration. Although Petitioner claims rights in a confusingly similar mark, Petitioner has yet to establish ownership of prior rights in such mark.

INTERROGATORY NO. 50:

If you contend that Registrant has priority of use or superior rights over Petitioner to use the terms "churrascaria boi na brasa" and/or "boi na brasa" in the State of New York, state the basis of your contention and identify all evidence in support thereof.

ANSWER:

Boi Na Braza objects to this interrogatory as it seeks information that is subject to the attorney-client privilege and/or work product doctrine. Subject to the foregoing specific and general objections, and without waiving the same, Boi Na Braza responds that it is the owner of U.S. Reg. No. 2,534,608 for the mark BOI NA BRAZA. The registration is prima facie evidence of the validity of the mark, of the registration of the mark, of Boi Na Braza's ownership of the mark and of Boi Na Braza's exclusive right to use the mark in commerce on or in connection with the services specified in the registration. Although Petitioner claims rights in a confusingly similar mark, Petitioner has yet to establish ownership of prior rights in such mark.

Dated: June 13, 2008

Respectfully submitted,

BOI NA BRAZA INC.

By: Remy M. Davis

Herbert J. Hammond
Deborah L. Lively
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(214) 969-1751 (Fax)

Attorneys for Boi Na Braza
Registrant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Response to Petitioner Terra Sul's Second Set of Interrogatories and Requests for Admission is being served upon Petitioner's attorney of record, Eamon J. Wall, by certified mail, return receipt requested, on this 13th day of June, 2008, in an envelope addressed to:

Eamon J. Wall
Patterson & Sheridan, LLP
595 Shrewsbury Avenue, Suite 100
Shrewsbury, New Jersey 07702

Remy M. Davis
Remy M Davis

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Terra Sul Corporation a/k/a
Churrascaria Boi Na Braza

Petitioner,

v.

Boi Na Braza, Inc.,

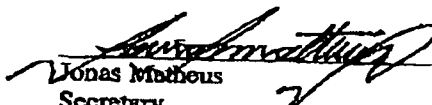
Respondent.

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Cancellation No. 92047056

VERIFICATION

I am over the age of eighteen years. I am Secretary of Registrant Boi Na Braza, Inc. ("Boi Na Braza"), and I am competent to make this affidavit. The information set forth in the foregoing answers to Petitioner's interrogatories (1) is true and correct based on my own personal knowledge, or (2) is true and correct to the best of my knowledge, information, and belief, because it has been collected under my direction and made available to me by agents of Boi Na Braza, whom I believe to be reliable and whom I know to have personal knowledge of the facts collected. On this basis, I am authorized to make this affidavit for and on behalf of Boi Na Braza in this proceeding.


Jonas Mathews
Secretary
Boi Na Braza, Inc.

Cancellation No. 92047056

Terra Sul Corporation v. Boi Na Brasa, Inc.

EXHIBIT E

Offered by Terra Sul Corporation

RJ-CH



The State of Texas

Secretary of State

CERTIFICATE OF INCORPORATION

OF

B31 NA BRAZA, INC.
CHARTER NUMBER 01540801

THE UNDERSIGNED, AS SECRETARY OF STATE OF THE STATE OF TEXAS,
HEREBY CERTIFIES THAT THE ATTACHED ARTICLES OF INCORPORATION FOR THE
ABOVE NAMED CORPORATION HAVE BEEN RECEIVED IN THIS OFFICE AND ARE
FOUND TO CONFORM TO LAW.

ACCORDINGLY, THE UNDERSIGNED, AS SECRETARY OF STATE, AND BY VIRTUE
OF THE AUTHORITY VESTED IN THE SECRETARY BY LAW, HEREBY ISSUES THIS
CERTIFICATE OF INCORPORATION.

ISSUANCE OF THIS CERTIFICATE OF INCORPORATION DOES NOT AUTHORIZE
THE USE OF A CORPORATE NAME IN THIS STATE IN VIOLATION OF THE RIGHTS OF
ANOTHER UNDER THE FEDERAL TRADEMARK ACT OF 1946, THE TEXAS TRADEMARK LAW,
THE ASSUMED BUSINESS OR PROFESSIONAL NAME ACT OR THE COMMON LAW.

DATED JUNE 24, 1999

EFFECTIVE JUNE 24, 1999



A handwritten signature in cursive script, reading "Elton Bornei".

Elton Bornei, Secretary of State

BNB 000001